

DECLARATION OF DEBBIE STUBBLEFIELD

I, Debbie Stubblefield, under oath, states as follows:

1. I am over eighteen (18) years of age and am competent to give the following testimony based on my own personal knowledge.

2. I am employed by Baptist Memorial Hospital-DeSoto, Inc. as its Director of Emergency Department and have served in this position since approximately February 2007. From December 2006 until the time I assumed the role as Director of Emergency Department, I served as the Interim Director of Emergency Department. The hospital is located at 7601 Southcrest Parkway, Southaven, Mississippi 38671.

3. Baptist Memorial Hospital-DeSoto, Inc. has established policies and procedures that have been communicated to employees to ensure that employees are paid for all hours worked. Senior leadership has communicated to the Directors that employees are to be paid for all hours worked.

4. If a non-exempt employee is unable to take a meal period or is interrupted during a meal period for work or patient needs, I have instructed management in the Emergency Department to first try and find a way to fit it in later in the shift. If a meal period cannot be taken because of business demands, I have instructed employees to enter in the exception log maintained in the Emergency Department that the employee was not able to take a 30 minute uninterrupted meal period so the employee can be compensated for the missed or interrupted meal period.

5. The exception log in the Emergency Department is a log to be used by all employees to document any variation from employees' scheduled work hours. For

example, an employee might document a missed or interrupted meal period, use of a PTO day, a failure to badge in or out, leaving early or arriving late or any other deviation from the employee's scheduled hours. Employees are trained about how to document a missed or interrupted meal period in the exception log during new employee departmental orientation. This topic has also been discussed with employees during staff meetings and on electronic updates on net learning.

6. I am not aware of how other departments handle time exceptions for a missed or interrupted meal period. Senior management has instructed directors to formulate a procedure for their individual departments that will ensure employees are paid for any missed or interrupted meal periods.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing declaration consisting of this and two other pages is true and correct.


Debbie Stubblefield

Executed on this the 30th day of November, 2008.